

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JOHN GAFFIGAN, individually and on behalf )		
of all others similarly situated, )		
	)	
Plaintiff, )		
	)	Case No. 4:10-CV-00503-ERW
vs. )		
	)	
AT&T MOBILITY, LLC, )		
	)	
Defendant. )		

**MOTION OF DEFENDANT AT&T MOBILITY LLC TO COMPEL  
ARBITRATION AND DISMISS ACTION**

Pursuant to the Federal Arbitration Act (“FAA”), 9 U.S.C. §§ 1-16, Defendant AT&T Mobility LLC (“ATTM”) moves this Court for an order (i) compelling plaintiff John Gaffigan to arbitrate his claims and (2) dismissing this action. ATTM brings this motion on the ground that the FAA requires Gaffigan to pursue his claims in accordance with his arbitration agreement.

This motion is supported by the Memorandum in Support; the Declarations of Caroline Mahone-Gonzalez, Richard J. Rives, Ramon L. Menendez, Theodore Weiman, and Scott Williamson; and all exhibits thereto filed concurrently herewith.

Dated: July 6, 2010

Respectfully submitted,

By: /s/Robert J. Wagner

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served electronically by means of the Court's CM/ECF electronic filing system on July 6, 2010, on all counsel of record.

/s/Robert J. Wagner